

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

ALI AL-TIMIMI,

Defendant.

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CRIMINAL NO. 1:04-cr-385

SEALING ORDER

This matter having come before the Court on the Government's Motion to Seal pursuant to Local Criminal Rule 49(E) and for good cause shown, the Court finds:

1. The government seeks to file under-seal a second declaration authored by Dr. Susan Conroy, and an associated attachment, which provide factual information pertinent to the Court's resolution of the defendant's emergency motion for bail, filed at ECF No. 465.
2. Sealing these documents is necessary to protect the defendant's private medical information.
3. This Court has the inherent power to seal materials submitted to it. *See Nixon v. Warner Commc'ns Inc.*, 435 U.S. 589, 598 (1978) ("It is uncontested, however, that the right to inspect and copy judicial records is not absolute. Every court has supervisory power over its own records and files, and access has been denied where court files might have become a vehicle for improper purposes."); *In re Sealed Affidavit(s) to Search Warrants Executed on February 14, 1979*, 600 F.2d 1256, 1257 (9th Cir. 1979) (recognizing that "the courts have inherent power, as an incident of their constitutional function, to control papers filed with the courts within certain constitutional and other limitations"). "The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public's right of access is outweighed by

competing interests.” *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984).

4. The government requests that the Conroy declaration and attachment be sealed until unsealed by order of the Court.

For the foregoing reasons it is hereby:

ORDERED that the government’s Motion to Seal is GRANTED, and it is

FURTHER ORDERED that the second declaration of Dr. Susan Conroy and associated attachment, filed with the Court on July 21, 2020, shall be maintained under seal and will remain under seal until unsealed by order of the Court, and it is

FURTHER ORDERED that the Clerk provide a copy of this Order to counsel of record.

ENTERED this 21st day of July, 2020.

Alexandria, Virginia

/s/ LMB
Leonie M. Brinkema
United States District Judge